GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Service – Agriculture and Cooperation Department – Departmental Proceedings against Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o the Regional Joint Director of Marketing, Vijayawada - Under Rule 172 of AP(AP&LS) Markets Rules, 1969 – Articles of Charges – Issued.

==========

AGRICULTURE AND CO-OPERATION(VIG-II) DEPARTMENT

G.O.RT.No. 708 **Dated: 08-11-2024**

@ @ @

O R D E R:-

1. It is proposed to hold an enquiry against Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o the Regional Joint Director of Marketing, Vijayawada in accordance with the procedure laid down in Rule 172 of AP(AP&LS) Markets Rules, 1969.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charge (Annexure – I & II). A list of documents by which and a list of witnesses by whom the article of charge is proposed to be sustained are also enclosed (Annexure –III & IV).

3. Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o the Regional Joint Director of Marketing, Vijayawada is directed to submit a written statement of his defense within 15 days of the receipt of this order.

4. Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o the Regional Joint Director of Marketing, Vijayawada is further informed that an enquiry will be held only in respect of those articles of charges that are not admitted. He should, therefore, specifically admit or deny the article of charge.

5. Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o the Regional Joint Director of Marketing, Vijayawada is further informed that if he does not submit his written statement of defense on or before the date specified in Para 3 above, further action will be proceeded based on the material available.

6. The attention of Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o the Regional Joint Director of Marketing, Vijayawada is invited to Rule 24 of the Andhra Pradesh Civil Services(Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to hear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o the Regional Joint Director of Marketing, Vijayawada is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P.C.S (Conduct) Rules, 1964.

(P.T.O.)

7. The receipt of the charge memo may be acknowledged

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR, IAS,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri D. Tirupathi Rayudu,
Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o the Regional Joint Director of Marketing, Vijayawada(Through: The Director of Agricultural Marketing, A.P., Guntur).

Copy to:-
The Director of Agricultural Marketing, A.P., Guntur.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER

(Contined...3)

ANNEXURE.I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI D. TIRUPATHI RAYUDU, SELECTION GRADE SECRETARY, AGRICULTURAL MARKET COMMITTEE, TANUKU PRESENTLY OD AT O/o THE REGIONAL JOINT DIRECTOR OF MARKETING, VIJAYAWADA.

ARTICLE OF CHARGE - I

That Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o. the Regional Joint Director of Marketing, Vijayawada has

(a) drawn employee share which was deducted from his salary since from his appointment and not credited to the NSDL through PRAN Account and he has drawn the amount in different spells in the shape of Contributory Pension Scheme loan duly violated the Circular instructions issued by the Commissioner and Director of Agril. Marketing vide P-2-8296/2007, dt:19.12.2016.

(b) drawn CPS employer`s share of an amount of Rs.2,53,409/- without his contribution of CPS and not credited to his PRAN Account. And he has repaid the amount to AMC PD Account on 11.10.2023 at the time of verification.

(c) irregularly sanctioned CPS loan amount to Sri P. Rama Rao, JMS, AMC, Narasaraopeta an amount of Rs.1,10,000/- and Rs.20,000/- in Two spells in gap of Three months even though Sri P. Rama Rao, JMS, AMC, Narasaraopeta not having eligibility for PF / CPS loans.

Thus he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of the public servant and contravened rule 3 of APCS (Conduct) Rules, 1964, violated the rule 31 of AP(AP&LS) Markets Rules 1969 and also violated Circular instructions.

ARTICLE OF CHARGE - II

That Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o.Regional Joint Director of Marketing, Vijayawada has

(a) committed temporarily misappropriated of AMC Funds pertains to rental collections from the shops were not remitted in to the AMC Funds from 4 days to 1 Year and also violated Circular instructions issued by the Special Commissioner and Director of Agril. Marketing vide No. AGC05-16021/19/2019, Dt:05.08.2019.

(b) committed temporarily misappropriated the AMC Funds towards Market Fee collections from the check posts from 10 days to Two months.

Thus he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of the public servant and contravened rule 3 of APCS (Conduct) Rules, 1964 and violated the rule 31 of AP(AP&LS) Markets Rules 1969 and also violated the Circular instructions.

(P.T.O...4)

ARTICLE OF CHARGE - III

That Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o.the Regional Joint Director of Marketing, Vijayawada has irregularly drawn an amount of Rs.4,00,000/- towards HBA Repairs and Rs.2,00,000/- towards purchase of house site to himself without sanction from the competent authority i.e., RJDM and without pre-audit.

Thus he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of the public servant and contravened rule 3 of APCS (Conduct) Rules, 1964 and violated the rule 31 of AP(AP&LS) Markets Rules 1969 and also violated HBA Rules.

ARTICLE OF CHARGE - IV

That Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o the Regional Joint Director of Marketing, Vijayawada has committed irregularities while drawn an amount of Rs.1,66,000/- to accommodate audit office at AMC Godown without sanction / approval from higher authorities.

Thus he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of the public servant and contravened rule 3 of APCS (Conduct) Rules, 1964 and also violated the rule 31 of AP(AP&LS) Markets Rules 1969.

ARTICLE OF CHARGE - V

That Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o the Regional Joint Director of Marketing, Vijayawada has willfully not updated the cash book and not reconciled regularly, he has not maintained records pertains to financial matters i.e., check abstracts, expenditure registers etc., and also misplaced of records and files in respect of Sri U. Rajasekhar, AMS, AMC, Narasaraopeta of an amount of Rs.10,00,000/- towards HBA (Ready built house).

Thus he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of the public servant and contravened rule 3 of APCS (Conduct) Rules, 1964 and also violated the rule 31 of AP(AP&LS) Markets Rules 1969.

ANNEXURE.II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLES OF CHARGES FRAMED AGAINST SRI D. TIRUPATHI RAYUDU, SELECTION GRADE SECRETARY, AGRICULTURAL MARKET COMMITTEE, TANUKU PRESENTLY OD AT O/O.REGIONAL JOINT DIRECTOR OF MARKETING, VIJAYAWADA

Basing on preliminary report Dt:16.10.2023 and factual report Dt:23.07.2024 of Regional Joint Director of Marketing, Vijayawada, the following lapses and defects have been identified as follows:

(Contined..5)

Imputation to the charge – I:-

As per preliminary report:-

Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o.Regional Joint Director of Marketing, Vijayawada has drawn irregular loans from CPS account without sanction of competent authority since he comes under CPS scheme, even though he has not obtain PRAN A/c till to date.

He has drawn irregular CPS loans an amount Rs.9,15,890/- against his balance of Rs.4,42,711/- without prior permission of higher authorities. But he has re-paid the same of Rs.9,15,890/- to the PD account at the time of verification of the records by the team.

He has drawn an amount Rs.2,53,469/- from PD account as employer share though he has not deducted the employee share and transferred to the current account in turn withdrawn from current account. But, he has re-paid the same of Rs.2,53,469/- to the PD account at the time of verification of the records by the team.

He has sanctioned CPS loan to Sri P.RamaRao, JMS, AMC, Narasaropeta an amount Rs.1,10,000/- and Rs.20,000/- in two spells in the gap of three months is irregular as Sri P.RamaRao, JMS, AMC, Narasaropeta is not eligible for PF/CPS loan.

As per factual Report:-

Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o the Regional Joint Director of Marketing, Vijayawada had been irregularly drawn an amount of Rs. 3,63,000/- in the shape of CPS Loans in Two (2) loans from CPS amounts while working as Spl. Gr. Secy, AMC, Bapatla even no provision to drawn the CPS amount vide Cir. No. P-2-8296/2007, DT.19.12.2016 and repaid an amount of Rs.1,64,000/- only from July 2019 to February 2021. And after he stopped repayments. Hence an amount of Rs.1,99,000/- has to be recovered from him. Further he did not repaid loans as well as he stopped CPS subscriptions from March, 2021 onwards from his salary which is mandatory accordance of CPS guidelines.

And he committed financial irregularities while drawn of 5 loans from CPS amount in different dates without having sufficient balances in his CPS account. He drawn an amount of Rs.7,16,890/- from office PF account and repaid only 1,21,388/- on 11.10.2023.

The individual has drawn an amount of Rs.2,53,409/- from PD account duly transferred through current account of AMC, Narasaraopet against employer's share without his contributions of CPS. Thereafter with drawn in cash. Further amount repaid to PD on 11.10.2023 (at the time of verification).

He has deposited an amounts of Rs.1,12,896/- & 2,93,304/- totally 4,06,200/- on 15.09.2023 in to the PF/CPS account of AMC Narasaraopeta.

The C&DAM has issued Circular instructions that to deduct two subscriptions one as the current month and one relating to arrear contributions from June 2013 and the same shall deposit in the bank account and maintain separate register for new CPS.

(P.T.O...6)

The individual has committed financial irregularities duly violated the circular instructions issued by the C&DAM in addition taken the loans from CPS amount without having balances/Subscriptions and drawn employer's share without his contributions.

Imputation to the charge – II:-

As per Preliminary report:-

He has collected commercial shops rents from the traders and remitted late by months together to the PD account.

As per Factual Report:-

It is observed that Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o.Regional Joint Director of Marketing, Vijayawada has committed temporarily misappropriation of AMC funds pertains to rental collections from the shops were not remitted in to the AMC funds from 4 days to 1 year. Receipt book no's 16, 74, 154, 382, 402 were utilized for collection of rents and the book No.382 not traced in office.

On verification of receipt ledger, it is observed that challans were generated after 7 days to 2 months of collection of market fee at check posts.

Imputation to the charge – III:-

As per preliminary & factual report:-

Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o.Regional Joint Director of Marketing, Vijayawada has irregularly drawn an amount of Rs.4,00,000/- towards HBA Repairs and Rs.2,00,000/- towards purchase of house site to himself without sanction from the competent authority i.e., RJDM and without pre-audit.

Imputation to the charge – IV:-

As per preliminary & factual report:-

Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o.Regional Joint Director of Marketing, Vijayawada has committed irregularities while drawn an amount of Rs. 1,66,000/- (as mentioned the points that the individual drawn expenditure in different spells as report by the RJDM, Vijayawada at point No. 4 in table mentioned in Page 3 of Preliminary report) to accommodate audit office at AMC Godown without sanction/ approval from higher authorities.

Imputation to the charge – V:-

As per preliminary report:-

The cash book updated up to 31st August, 2023 only, as the date of verification is on 10.10.2023, the closing balance of cash book is Rs.1,13,84,916/- (31.08.23) where as the balance of PD A/c is Rs.89,26,374/- difference is Rs.24,58,542/- is identified and not reconciled by the Secretary, AMC, Narasaropeta.

(Contined...7)

As seen the expenditure incurred by the secretary, most of the expenditure bills drawn without approval of pre audit.

He has drawn expenditure in different spells as reported by the Dy. Director of Marketing, Guntur as follows:

Sl. No.	Head	Amount in Rs.	Bill details	Procedure laps
1	Hamali Insurance	1,83,159	2022-2130126, Dt:29.12.2022 Cash Book Page No. 131	connected File & pre-audit bills not produced.
2	Yard Cleaning	49,000	2023-726309, Dt:31.5.2023 Cash Book Page No.30	Drawn Rs. 49,000/-. But pre-audit approved Rs.9,000/- only.
3	e-Farm market	20,000	2022-1452440, Dt:28.9.2022 Cash Book Page No.94	e-Farm market expenditure drawn from revolving fund with approved of pre-audit.
4	Audit Office Expenditure	1,66,000	2022-1687769, Dt:31.10.2022 Cash Book Page No.105	On request of the audit dept., the secretary has let out one godown on rental basis and taken partitions of godown and incurred expenditure without sanction of the C & DAM.
5	(a) Unforeseen Expenditure	29,900	2022-1687769 Dt:31.10.2022 Cash Book Page No.105	pre-audit approved for Rs. 9000/- only. But drawn Rs. 29,900/-
	(b) Computer Maintenance	30,000		Due to deliberated condition of the existing office building and shifted to the godown, the secretary has taken partition work and incurred expenditure an amount Rs.1,90,000/- without sanction of the C & DAM.
	(c) New AMC Building Establishment	1,90,000		
	(d) Purchase of Electrical Items	50,000		
	(e) Publicity & Propaganda	20,000		pre-audit bills approved for Rs. 5000/- only. But drawn Rs. 20,000/-
	(f) Books & Periodicals	30,000		pre-audit approved for Rs. 15000/- only. But drawn Rs. 30,000/-

(P.T.O…8)

	(g) Sitting Fee	15,000		pre-audit bills and connected files not produced.
	(h) Weighing Machine	20,000		
	(i) Unforeseen Expenditure	20,000		
	(j) Printing	20,000		
	(k) Miscellaneous	40,000		
6	Miscellaneous	3,872	2022-1910468 Dt:28.11.2022 Cash Book Page No.118	
7	Godown No. 7 (Providing iron steps to the Godown)	32,256	2022-2508660 Dt: 28.2.2023 Cash Book Page No. 156	No budget sanctioned by the C &DAM. Pre-audit bills and connected files not produced. Amount transfer to DEO Account.
	Total	9,19,187		

Further RJDM, Vijayawada has submitted that he has drawn some of the expenditure bills without following procedure and budget sanctioned by the competent authority.

As per Factual Report:-

It is noticed that Sri D. Tirupathi Rayudu, Selection Grade Secretary, Agricultural Market Committee, Tanuku presently OD at O/o.Regional Joint Director of Marketing, Vijayawada has sanctioned Rs.10.00 Lakhs to Sri U. Rajasekhar, AMS, AMC, Narasaraopeta towards HBA (Ready Built House). But, no concerned records were found previously and related files furnished at the time of verification.

By the above acts, he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of the public servant and contravened rule 3 of APCS (Conduct) Rules, 1964, violated the rule 31, 97, 98, 99 & 100 of AP(AP&LS) Markets Rules 1969 and Financial Rules. Hence the Charges.

ANNEXURE - III

LIST OF DOCUMENTS ON THE BASIS OF WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI D. TIRUPATHI RAYUDU, SELECTION GRADE SECRETARY, AGRICULTURAL MARKET COMMITTEE, TANUKU PRESENTLY OD AT O/O.REGIONAL JOINT DIRECTOR OF MARKETING, VIJAYAWADA

1. Lr. No. RJDM/VJA/C/238/2023, Dt:16.10.2023 of the Regional Joint Director of Marketing, Vijayawada.
2. Lr. No. RJDM/VJA/C/238/2023, Dt:23.07.2024 of the Regional Joint Director of Marketing, Vijayawada.

(Contined...9)

ANNEXURE – IV

LIST OF WITNESS BY WHOM BY THE ARTICLE OF CHARGES FRAMED AGAINST SRI D. TIRUPATHI RAYUDU, SELECTION GRADE SECRETARY, AGRICULTURAL MARKET COMMITTEE, TANUKU PRESENTLY OD AT O/O.REGIONAL JOINT DIRECTOR OF MARKETING, VIJAYAWADA

1. The Regional Joint Director of Marketing, Vijayawada.
2. The Regional Deputy Director of Marketing, Guntur.

B RAJSEKHAR, IAS,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER